

**Notice of Allowability**

Application No.

09/711,747

Applicant(s)

SPAGNA ET AL.

Examiner

Art Unit

CUONG H. NGUYEN

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/08/05 (the After-Final amendment).
2. ☒ The allowed claim(s) is/are 1,3-9,11-16,18-20,22; they are renumbered as 1-18.
3. ☒ The drawings filed on 14 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

CUONG H. NGUYEN  
Primary Examiner  
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**DETAILED ACTION**

1. This Office Action is the answer to the After-Final rejection amendment received on 4/08/2005.

2. Claims 1, 3-9, 11-16, 18-20, and 22 are amended; those claims are pending in this application. Claims 2, 10, 17, and 21 were canceled.

***Response***

3. The examiner withdraws the rejections mailed on 3/07/2005 due to said After-Final Amendment.

***Allowable Subject Matter & Reasons for Allowance***

4. Independent claims 1, 7, 9, 15, and 18 (containing a similar allowable limitation of comparing 2 hash values) are patentable over the combination of cited closest references of Stefik, Yoshiura et al., and Johnson et al. because the primary reference of Stefik does not disclose about comparing a stored hash value, and cited secondary references only use calculated hash values for verifying the authenticity of a message from a sender; in contrast, the present invention does not calculate a hash value for a received encrypted content as in cited references. The use of hash values in secondary references of Yoshiura et al., and Johnson et al. are not the same as in pending claims: "receiving a hash value ... comparing the hash value received with a previously stored hash value corresponding to the previously received encrypted digital content; ... without the need to re-receive the received encrypted digital content ...". Yoshiura et al., and Johnson et al. use hash value to verify that a file has not changed during transmission, while the pending invention uses hash values to identify a particular file that is already stored; wherein said hash value not being calculated at the receiver.

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5. Dependent claims 3-6, 8, 11-14, 16, and 19-20, 22 are allowed because they are dependent of allowable claims 1, 7, 9, 15, and 18 (comprising above allowable subject matter).

### Conclusion

6. Claims 1, 3-9, 11-16, 18-20, and 22 are patentable; they are renumbered as 1-18.

7. Remarks:

- A hit of US Pat. 6,859,790 (Notaka et al.) is found during **Forward Reference Search**; however, this reference teaches about a different characteristic of comparison: comparing a calculated hash value T(1) with a number of permitted generation T(4) to see if T(1) does not exceed T(4) before allowing to make another copy.
- A hit of US Pat. 6,601,046 (Epstein) is found during **Forward Reference Search**; however, this reference teaches about a different characteristic of comparison: comparing/referencing to a hash value of a watermark (that number is “fixed”/never changed).
- A hit of US Pat. 6,499,105 (Yoshiura et al.) is found during **Forward Reference Search**; however, this reference teaches about a different characteristic of comparison: comparing a calculated hash value 2409 with the hash value 2408 extracted from the mark (step 2404).
- A hit of US Pat. 5,898,779 (Squilla et al.) is found during **Backward Reference Search**; however, this reference teaches about a different characteristic of comparison: comparing a new hash value with a decrypted hash value (see Squilla et al., “compare step 90”).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The fax phone number for the organization where this application is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*CHN*  
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*Cuonghnguyen*